

1 WARREN J. RHEAUME (admitted *pro hac vice*)
HELLER EHRMAN LLP
2 701 Fifth Avenue, Suite 6100
Seattle, WA 98104-7098
3 Telephone: (206) 447-0900
Facsimile: (206) 447-0849
4 Email: Warren.Rheaume@hellerehrman.com

5 LESLIE N. HARVEY, State Bar No. 241203
HELLER EHRMAN LLP
6 333 Bush Street
San Francisco, California 94104-2878
7 Telephone: (415) 772-6000
Facsimile: (415) 772-6268
8 Email: Leslie.Harvey@hellerehrman.com

9 Attorneys for Defendant
MICROSOFT CORPORATION

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 LAURIE MARIE LASKEY,
14 Plaintiff,
15 v.
16 MICROSOFT CORPORATION, and DOES 1
through 1000, inclusive,
17 Defendants.
18

Case No. CV-08-1465-WHA

**[PROPOSED] ORDER GRANTING
DEFENDANT MICROSOFT
CORPORATION'S MOTION FOR
A MORE DEFINITE
STATEMENT**

1 The motion of Microsoft Corporation (“Microsoft”) for a more definite statement of
2 plaintiff Laurie Marie Laskey’s (“Laskey”) Complaint came on for hearing on June 19,
3 2008, in the above-captioned court. Microsoft was represented by counsel.

4 After full consideration of the evidence and points and authorities submitted by the
5 parties and oral argument of counsel, and good cause appearing therefor, the Court finds
6 that Laskey’s Complaint (including each and every claim stated therein) is so ambiguous
7 that defendant Microsoft cannot reasonably be required to respond. Federal Rule of Civil
8 Procedure 12(e).

9 Accordingly, the Court ORDERS plaintiff Laskey to amend the Complaint. The
10 Complaint must (1) state which facts are applicable to each defendant on an individual basis
11 (rather than refer to defendants generally); (2) allege facts rather than present questions; and
12 (3) allege a factual basis for the damages theories set forth in the Complaint. Unless Laskey
13 files an amended Complaint within 10 days, the action shall be dismissed.

14
15 SO ORDERED.

16
17 _____, 2008

18 _____
19 The Honorable William H. Alsup